

110TH CONGRESS
1ST SESSION

H. R. 3067

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2007

Mr. NEUGEBAUER introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Public Housing
5 Authority Act”.

6 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**
7 **SMALL PUBLIC HOUSING AGENCIES.**

8 (a) IN GENERAL.—Section 5A(b) of the United
9 States Housing Act of 1937 (42 U.S.C. 1437c–1(b)) is

1 amended by adding at the end the following new para-
2 graph:

3 “(3) EXEMPTION OF CERTAIN SMALL PHAS
4 FROM FILING REQUIREMENT.—

5 “(A) IN GENERAL.—Notwithstanding para-
6 graph (1) or any other provision of this Act—

7 “(i) the requirement under paragraph
8 (1) shall not apply to any qualified small
9 public housing agency; and

10 “(ii) except as provided in subsection
11 (e)(4)(B), any reference in this section or
12 any other provision of law to a ‘public
13 housing agency’ shall not be considered to
14 refer to any qualified small public housing
15 agency, to the extent such reference ap-
16 plies to the requirement to submit an an-
17 nual public housing agency plan under this
18 subsection.

19 “(B) CIVIL RIGHTS CERTIFICATION.—Not-
20 withstanding that qualified small public housing
21 agencies are exempt pursuant to subparagraph
22 (A) from the requirement under this section to
23 prepare and submit an annual public housing
24 plan, each qualified small public housing agency
25 shall, on an annual basis, make the certification

described in paragraph (15) of subsection (d) of this section, except that for purposes of such small public housing agencies, such paragraph shall be applied by substituting ‘the public housing program of the agency’ for ‘the public housing agency plan’.

“(C) DEFINITION.—For purposes of this section, the term ‘qualified small public housing agency’ means a public housing agency that meets all of the following requirements:

“(i) The sum of (I) the number of public housing dwelling units administered by the agency, and (II) the number of vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) administered by the agency, is 250 or fewer.

“(ii) The agency is not designated pursuant to section 6(j)(2) as a troubled public housing agency.”.

(b) RESIDENT PARTICIPATION.—Section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1) is amended—

(1) in subsection (e), by inserting after paragraph (3) the following:

1 “(4) QUALIFIED SMALL PUBLIC HOUSING
2 AGENCIES.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraph (B), nothing in this section may
5 be construed to exempt a qualified small public
6 housing agency from the requirement under
7 paragraph (1) to establish one or more resident
8 advisory boards. Notwithstanding that qualified
9 small public housing agencies are exempt pur-
10 suant to subsection (b)(3)(A) from the require-
11 ment under this section to prepare and submit
12 an annual public housing plan, each qualified
13 small public housing agency shall consult with,
14 and consider the recommendations of the resi-
15 dent advisory boards for the agency, in any de-
16 terminations and actions of the agency regard-
17 ing establishing goals, objectives, and policies of
18 the agency.

19 “(B) APPLICABILITY OF WAIVER AUTHOR-
20 ITY.—Paragraph (3) shall apply to qualified
21 small public housing agencies, except that for
22 purposes of such small public housing agencies,
23 subparagraph (B) of such paragraph shall be
24 applied by substituting ‘the functions described

1 in the second sentence of paragraph (4)(A)’ for
2 ‘the functions described in paragraph (2)’.

3 “(f) PUBLIC HEARINGS.—”; and

4 (2) in subsection (f) (as so designated by the
5 amendment made by paragraph (1) of this sub-
6 section), by adding at the end the following new
7 paragraph:

8 “(5) QUALIFIED SMALL PUBLIC HOUSING
9 AGENCIES.—

10 “(A) REQUIREMENT.—Notwithstanding
11 that qualified small public housing agencies are
12 exempt pursuant to subsection (b)(3)(A) from
13 the requirement under this section to conduct a
14 public hearing regarding the annual public
15 housing plan of the agency, each qualified small
16 public housing agency shall, not less than annu-
17 ally, conduct a public hearing to discuss the
18 goals, objectives, and policies of the agency, and
19 any changes to such goals, objectives, and poli-
20 cies, and to invite public comment regarding
21 such issues.

22 “(B) AVAILABILITY OF INFORMATION AND
23 NOTICE.—Not later than 45 days before the
24 date of such a hearing, the qualified small pub-
25 lic housing agency shall—

1 “(i) make all information relevant to
2 the hearing and any determinations of the
3 agency regarding the goals, objectives, and
4 policies of the agency to be considered at
5 the hearing available for inspection by the
6 public at the principal office of the public
7 housing agency during normal business
8 hours; and

9 “(ii) publish a notice informing the
10 public that (I) the information is available
11 as required under clause (i), and (II) a
12 public hearing under subparagraph (A) will
13 be conducted.”.

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